

**AGENDA**



**Recommendation for Council Action**

Austin City Council	Item ID	72498	Agenda Number	13.
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Meeting Date:	8/10/2017	Department:	Watershed Protection
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**Subject**

Authorize negotiation and execution of a community facilities agreement with Texas Folklife Resources for the design and construction required to repair public storm drain infrastructure beneath the property located at 1317 South Congress, for a cost reimbursement amount not to exceed \$130,756.07. (District 9)

**Amount and Source of Funding**

Funding is available in Fiscal Year 2016-2017 through the Watershed Protection Department's CIP fund.

**Fiscal Note**

A fiscal note is not required.

Purchasing Language:	
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Prior Council Action:	
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For More Information:	Joseph Zerda, Watershed Protection, 512-974-1522; Jose Guerrero, AD Watershed Protection, 512-974-3386
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Council Committee, Boards and Commission Action:	
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MBE / WBE:	This agreement is exempt from City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program as specified in Texas Government Code Chapter 252.022.
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Related Items:	
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**Additional Backup Information**

This agreement is for the cost reimbursement of the emergency repair of an active 36-inch storm drain pipe conveying city storm water beneath the property located at 1317 S. Congress, Austin Texas 78704 owned by Texas Folklife Resources, Inc. (Texas Folklife) and being leased as a commercial business space.

A construction contractor was hired to perform the permitted remodel construction of the commercial lease space located at 1317 S. Congress Avenue. The contractor penetrated the concrete floor slab as part of their work and encountered an unexpected void beneath the floor slab thought to possibly be a storm drain pipe.

The City of Austin Watershed Protection Department (WPD) staff was contacted by the contractor to help identify the infrastructure. Upon visiting the site and reviewing available construction documentation, the city confirmed the remnants as a failed active storm drain system. The infrastructure below the space was a concrete box-pipe that connects to a 36-inch storm drain pipe on either side of the lease space, in both the upstream and downstream directions and, according to construction record documents, was installed by the city in the 1940s. The box-pipe was failed, partially intact and created the potential for obstructing the active storm drain pipe which could cause localized flooding of businesses in the area. Additionally, storm water being conveyed through the storm drain system had

caused erosion of the soils supporting the building and foundation. These conditions posed a threat to public safety and public property and required immediate attention.

City staff determined that the most appropriate course of action was to repair the infrastructure while the opportunity was present and ensure the safe conveyance of storm water through the system because it is an active storm drain pipe. Since the infrastructure requiring repair was located within an active construction zone and beneath a building, it was determined that the safest and most efficient means to repair the pipe would be to have the contractor on site perform the repair. WPD and Texas Folklife agreed that the project team would design and construct a repair with the city's oversight. The city would reimburse Texas Folklife for the cost of the design and construction through a Community Facilities Agreement. Texas Folklife elected to proceed with the construction repair at their own risk with the understanding that this item would need to be approved by city council. This was the preferred means to proceed due to the dilemma of trying to quantify exact costs on such a unique project in which unforeseen site conditions and weather would likely cause the price to fluctuate as construction progressed. Funding for the city's participation on this emergency repair is coming from the WPD's CIP fund.